



Attorney's Docket No. 5051.416DV

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Boris Yacobson Group: 1754
Serial No.: 09/866,021 Examiner: Peter J. Lish
Filed: May 23, 2001
For: PHYSICAL PROPERTY MODIFICATION OF NANOTUBES

Dep & Ref # 307
131 Ref for
Refund
05-22-03

February 27, 2003

Commissioner for Patents
Washington, DC 20231

**REQUEST FOR REFUND OF FEE
UNDER 37 C.F.R. §1.26**

Sir:

Applicant respectfully submits this Request for Refund of Fees pursuant to 37 C.F.R. §1.26 in the amount of \$55.00. On January 29, 2003, Applicant submitted an Amendment responsive to the October 29, 2002 Office Action. The Amendment Transmittal Sheet authorized the USPTO to charge Deposit Account Number 50-0220 any patent application processing fees under 37 C.F.R. §1.17 in the above-identified application. The Amendment was submitted prior to the expiration of the 3 month timeframe allowed in the October 29, 2002 Office Action. A copy of the transmittal papers and return-receipt postcard is enclosed.

As noted on the Deposit Account Statement of February 2003 (copy enclosed), the USPTO charged Deposit Account Number 50-0220 in the amount of \$55.00 for fees associated with a one month Extension of Time in the above application.

In view of the enclosed copies of the transmittal papers and return-receipt post card, Applicants submit that the Amendment was timely filed and no extension fees should have been charged. Accordingly, Applicants respectfully submit that the extension of time fee of \$55.00 was erroneously charged and request a refund in the amount of \$55.00 to Deposit Account No. 50-0220.

Respectfully submitted,

Laura M. Kelley
Registration No. 48,441



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PATENT TRADEMARK OFFICE



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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on February 27, 2003.

Vickie Diane Prior

Vickie Diane Prior

Date of Signature: February 27, 2003



02/06	925	78211699		7001	\$335.00	\$53,516.00
02/07	118	10285398	5051.535P	2001	\$5.00	\$53,511.00
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02/10	172	PCT/US03/03196	5308.224.WO	1707	\$440.00	\$50,043.00
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02/11	533	PCT/US02/23488	5051.584.WO	1605	\$490.00	\$41,339.00
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02/12	50	09446787	T/97292 US	1501	\$1,300.00	\$39,813.00
02/12	50	PAYMENT		9203	-\$25,000.00	\$64,813.00
02/12	51	09446787	T/97292 US	8001	\$30.00	\$64,783.00
02/12	55	09697934	925016	1806	\$180.00	\$64,603.00
02/12	71	09657707	5458-270	1253	\$930.00	\$63,673.00
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02/12	167	09571461	8194-365	1501	\$1,300.00	\$62,289.00
02/12	168	09571461	8194-365	8001	\$15.00	\$62,274.00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Yakobson

Serial No.: 09/866,021

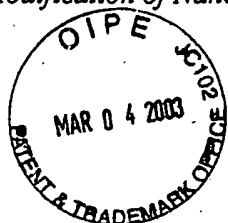
Filed: May 23, 2001

For: *Physical Property Modification of Nanotubes*

Group Art Unit: 1754

Confirmation No.: 6193

Examiner: Peter J. Lish

Commissioner for Patents
Washington, DC 20231

January 29, 2003

Sir:

Transmitted herewith is an AMENDMENT in the above-identified patent application.

☒ Applicant claims small entity status. See 37 CFR §1.27.☒ No additional fee is required.☐ Other:

The fee has been calculated as shown below:

(COL. 1)		(COL. 2)	(COL. 3)	SMALL ENTITY		OTHER THAN A SMALL ENTITY	
	Claims Remaining After Amendment	Highest Number Previously Paid For	Present Extra	RATE	ADDIT. FEE	OR RATE	ADDIT. FEE
Total	7 -	** 20	= 0	x 09=	\$	x 18=	\$
Indep	1 -	*** 3	= 0	x 42=	\$	x 84=	\$
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+140=	\$	+280=	\$
				Total Add. Fee \$		OR Total	\$

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

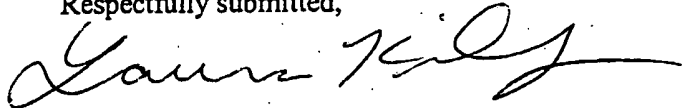
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior Amendment or the number of claims originally filed.

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- ☐ Please charge my Deposit Account No. 50-0220 in the amount of \$
- ☐ A check in the amount \$_____ to cover the additional fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0220.
- ☒ Any additional filing fees required under 37 C.F.R. § 1.16 for the presentation of extra claims.
- ☒ Any patent application processing fees under 37 C.F.R. § 1.17.

Respectfully submitted,



Laura M. Kelley
Registration No. 48,441
Attorney of Record

Customer Number:



20792

PATENT TRADEMARK OFFICE

Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on January 29, 2003.

Signature: _____



Carey Gregory

Date of Signature: January 29, 2003